

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CORONA GROUP, LLC,	:	
	:	
Plaintiff,	:	1:22-cv-9409-GHW
	:	
-against-	:	<u>ORDER</u>
	:	
JEFF PARK,	:	
	:	
Defendant.	:	
	:	
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GREGORY H. WOODS, District Judge:

On September 20, 2022, Plaintiff moved to join “non-party JPark Management Group, LLC” as a defendant in this case. Dkt. No. 69 at 1. There are competing indicia in the record about whether the “JPark” entity that Plaintiff seeks to join is in fact a corporation or an LLC. *Compare, e.g.*, Dkt. No. 13 at 3 (Plaintiff’s complaint in this case, listing “JPark Management, Inc.” as the commercial tenant in this case), Dkt. No. 1 Ex. F at 6 (an affidavit by Plaintiff’s managing member referring to “JPark Management, Inc.” as a tenant of Plaintiff’s), *id.* at 47 (a previous state-court case brought by “JPark Management Group Inc.”), *with, e.g.*, Dkt. No. 1 at 3 n.3 (Defendant Park’s notice of removal stating that “Plaintiff incorrectly states that ‘JPark Management, Inc.’ is the Tenant”), Dkt. No. 1 Ex. F at 21 (a lease document identifying “JPark Management Group LLC” as the tenant), *id.* at 25 (same).

If JPark is an LLC, the Court is unsure of where it is organized, and the identity of its members may present a jurisdictional issue.¹ *See Bayerische Landesbank v. Aladdin Capital Mgmt. LLC*, 692 F.3d 42, 49 (2d Cir. 2012) (noting that when determining a party’s citizenship for diversity

¹ The Court notes that in one leasing document, the address of “JPark Management Group LLC” is listed in New York. *See* Dkt. No. 1 Ex. F at 25. The Court nonetheless seeks clarification of what state’s laws the LLC operates under.

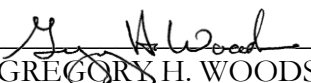
purposes, a limited liability company “takes the citizenship of each of its members”). If JPark is a corporation, the Court has some indication that it is a New York resident, but nonetheless seeks to confirm that fact. *See* Dkt. No. 1 Ex. F at 49 (a state-court complaint from “JPark Management Group Inc.” asserting that it “is a duly formed and published domestic business corporation with a principal place of business in the City, State, and County of Queens” New York); *see* 28 U.S.C. § 1332(c)(1) (“[A] corporation shall be deemed to be a citizen of any State . . . by which it has been incorporated and of the State . . . where it has its principal place of business.”). These issues may impact the resolution of Plaintiff’s motion for joinder.

Accordingly, **Defendant is hereby ORDERED to file a sworn affidavit on the docket no later than November 7, 2022**, answering the following questions:

1. Is “JPark” a corporation or an LLC?
2. If “JPark” is a corporation, (a) in which state is it incorporated and (b) in which state does it have its principal place of business?
3. If “JPark” is an LLC, (a) what is the citizenship of each of its members and (b) under which state’s laws was it organized?

SO ORDERED.

Dated: November 3, 2022
New York, New York



GREGORY H. WOODS
United States District Judge